

IN THE COURT OF APPEALS OF IOWA

No. 2-492 / 11-0853
Filed July 25, 2012

STATE OF IOWA,
Plaintiff-Appellee,

vs.

ROBERT RIVERS JR.,
Defendant-Appellant.

Appeal from the Iowa District Court for Webster County, Kurt L. Wilke (trial) and Gary L. McMinimee (sentencing), Judge.

Robert Rivers Jr. appeals his conviction and sentence for first-degree robbery. **AFFIRMED.**

Mark C. Smith, State Appellate Defender, and Robert P. Ranschau, Assistant State Appellate Defender, for appellant.

Robert Rivers Jr., Newton, pro se appellant.

Thomas J. Miller, Attorney General, Kyle Hanson and Becky Goettsch Assistant Attorney Generals, and Ricki N. Osborn, County Attorney, for appellee.

Considered by Vogel, P.J., and Tabor and Bower, JJ.

BOWER, J.

Robert Rivers Jr. appeals his conviction and sentence for first-degree robbery, in violation of Iowa Code section 711.2 (2009). Rivers contends (1) the district court erred in overruling his motion for a new trial and (2) his trial counsel was ineffective in failing to object to the prosecutor's closing statements.¹ After a thorough review and consideration of the record, we affirm the district court's ruling without opinion pursuant to Iowa Rule of Appellate Procedure 6.1203(a) and (b). We further find the record adequate to review Rivers's ineffective assistance of counsel claim on direct appeal. Upon our de novo review, we find Rivers has failed to establish counsel was ineffective for failing to object to the prosecutor's closing arguments, and no prejudice was incurred. We affirm.

AFFIRMED.

¹ This second claim of error was presented by Rivers pro se.